

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving the Authorization for Gannett Fleming Engineers and Architects, P.C. to Perform Phase 1B – Design and Plan Preparation Services Under Project No. 71-16-10 for Replacing the Bridges Over Mill Creek Bikeway in the Not-to-Exceed Amount of \$225,502.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”), through the Executive Director under the authority of Article V, Section 1.00 of the Code of Bylaws, selected Gannett Fleming Engineers and Architects, P.C., of Columbus, Ohio (“Gannett Fleming”), to perform the professional engineering services for the replacement of the twin structures over Mill Creek Bikeway at Milepost 223.0 in Mahoning County, Ohio (“Project”), and authorized Phase 1A – Site Inspection and Engineering Report Services (“Phase 1A Services”) for the not-to-exceed amount of \$110,565.00 under an Agreement dated April 5, 2017; and

WHEREAS, the Commission retained options under the agreement with Gannett Fleming to obtain additional services that are necessary to complete the Project through Phase 1B Services – Design and Plan Preparation Services (“Phase 1B Services”) and Phase 2 – Construction Administration and Inspection Services (“Phase 2 Services”); and

WHEREAS, Gannett Fleming has submitted a fee proposal dated December 22, 2017, in the not-to-exceed amount of \$225,502.00 to perform the Phase 1B Services, which amount the Chief Engineer has deemed to be reasonable and necessary; and

WHEREAS, the additional amount described in the fee proposal from Gannett Fleming, dated December 22, 2017, to perform the required Phase 1B Services will increase the contract by an amount that exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary to authorize the modification to the Agreement incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Gannett Fleming to perform Phase 1B Services under Project No. 71-16-10; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from Gannett Fleming dated December 22, 2017 to perform the Phase 1B – Design and Plan Preparation Services under Project No. 71-16-10 for replacing the bridges over Mill Creek Bikeway at Milepost 223.0 in Mahoning County in the not-to-exceed amount of \$225,502.00 is approved, and the Executive Director is authorized to amend the Agreement with Gannett Fleming to perform such services in accordance with the terms and conditions of the Commission’s RFP for Professional Engineering Services, Gannett Fleming’s technical response and fee proposals; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Commission’s Code of Bylaws to further amend the agreement with Gannett Fleming to perform Phase 1B and/or Phase 2 services necessary for Project 71-16-10 that does not exceed the Executive Director’s contracting authority, and approve such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

**(Resolution No. 3-2018 adopted January 22, 2018)**